

~~and Pensions Article, within 30 days after the date of the notice to the school system of the State overpayment, the school system may appeal the notice of State overpayment to the Secretary of Budget and Management who shall appoint a hearing examiner who is an attorney.~~

~~(ii) The hearing examiner shall make recommendations to the Secretary of Budget and Management who shall make a determination regarding the amount, if any, of the State overpayment.~~

~~(iii) Should a local school system request a transcript of an audit appeals hearing, the local school system shall provide and pay for the production of the transcript.~~

~~(2) At the request of the Department of Education the moneys owed shall be deducted from any other State funds that would otherwise be paid to the school system if:~~

~~(i) A local school system does not appeal to the Secretary of Budget and Management or to the Office of Administrative Hearings; or~~

~~(ii) The Office of Administrative Hearings determines that the State is due reimbursement for excess payments as provided in paragraph (3) of this subsection.~~

~~(3) (i) The local school system may appeal to the Office of Administrative Hearings a determination by the Secretary of the Department of Budget and Management regarding the amount, if any, of the State overpayment.~~

~~(ii) Within 45 days after the close of the hearing record, the Office of Administrative Hearings shall issue a written decision to the parties and may grant any appropriate remedy.~~

~~(iii) The written decision issued by the Office of Administrative Hearings is the final finding of fact and conclusion of law and binding on all parties and is not subject to judicial review.~~

~~(d) Any reimbursements which result from audits under this section:~~

~~(1) Shall be applied first to reimburse the Agency for the expenses of the audits; and~~

~~(2) After reimbursement to the Agency under item (1) of this subsection, shall be credited to the General Fund the State Retirement Agency shall include as employees eligible for State payment of retirement contributions, in making a determination under § 5-203 of the Education Article, those employees:~~

~~(1) whose salaries are paid by the Prince George's County Board of Education through funding of the Magnet Schools Program as provided in the State budget; and~~

~~(2) who are members of the Teachers' Pension System or the Teachers' Retirement System.~~